

RESOLUTION NO. A-_____

USE PERMIT NO. 04001

1 WHEREAS, Madonna Rehabilitation Hospital has submitted an
2 application in accordance with Section 27.27.080 of the Lincoln Municipal Code
3 designated as Use Permit No. 04001 for authority to develop 110,000 sq. ft. of
4 medical/office space on property generally located at South 56th Street and Pine Lake
5 Road, and legally described to wit:

6 A portion of Outlot E, Block 4, Aspen 5th Addition, a portion of
7 Outlot A, Aspen 10th Addition, and the vacated right-of-way of
8 Allen Road, located in the North Half of the Northeast Quarter of
9 Section 20, Township 9 North, Range 7 East of the 6th P.M.,
10 Lincoln, Lancaster County, Nebraska, more particularly described
11 as follows:

12 Commencing at the northeast corner of said Section 20, and
13 extending thence south 89 degrees 43 minutes 49 seconds west
14 on the north line of said Section 20, for a distance of 628.50 feet;
15 thence south 00 degrees 16 minutes 11 seconds east, a distance
16 of 85.00 feet to the point of beginning; thence continuing south 00
17 degrees 16 minutes 11 seconds east, for a distance of 290.00
18 feet along the west line of Stephanie Lane; thence south 89
19 degrees 43 minutes 49 seconds west, a distance of 2.95 feet;
20 thence south 00 degrees 16 minutes 11 seconds east, a distance
21 of 251.19 feet; to the point of curvature of a circular curve to the
22 left having a radius of 20.00 feet and an arc length of 0.50 feet,
23 being subtended by a chord of north 89 degrees 33 minutes 12
24 seconds west, for a distance of 0.50 feet to the point of tangency
25 of said curve; thence south 89 degrees 43 minutes 49 seconds
26 west, a distance of 399.75 feet; thence north 84 degrees 23
27 minutes 42 seconds east, a distance of 132.92 feet; thence south
28 89 degrees 43 minutes 49 seconds west, a distance of 55.83 feet;
29 thence north 00 degrees 16 minutes 11 seconds west, a distance
30 of 552.58 feet; thence north 89 degrees 43 minutes 49 seconds
31 east, a distance of 291.25 feet; thence south 00 degrees 16
32 minutes 11 seconds east, a distance of 10.00 feet; thence north
33 89 degrees 43 minutes 49 seconds east, a distance of 275.00
34 feet; thence south 45 degrees 16 minutes 11 seconds east, a
35 distance of 35.36 feet to the point of beginning and containing a
36 calculated area of 7.62 acres, more or less;

1 WHEREAS, the real property adjacent to the area included within the site
2 plan for this use permit will not be adversely affected; and

3 WHEREAS, said site plan together with the terms and conditions
4 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
5 Municipal Code to promote the public health, safety, and general welfare.

6 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
7 Lincoln, Nebraska:

8 That the application of Madonna Rehabilitation Hospital, hereinafter
9 referred to as "Permittee", to develop 110,000 sq. ft. of medical/office space on the
10 property legally described above be and the same is hereby granted under the
11 provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that
12 construction and operation of said medical/office space be in strict compliance with said
13 application, the site plan, and the following additional express terms, conditions, and
14 requirements:

15 1. This permit approves 110,000 square feet of office and commercial
16 floor area.

17 2. Before receiving building permits:

18 a. The Permittee must submit an acceptable, revised and
19 reproducible final plan including five copies.

20 b. The construction plans must conform to the approved plans.

21 c. Final plats within this use permit must be approved by the City.

22 3. Before occupying the medical/office space all development and
23 construction must be completed in conformance with the approved plans.

1 4. All privately-owned improvements must be permanently maintained by
2 the Permittee or an appropriately established owners association approved by the City Attorney.

3 5. The site plan approved by this permit shall be the basis for all
4 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
5 elements, and similar matters.

6 6. The terms, conditions, and requirements of this resolution shall be
7 binding and obligatory upon the Permittee, its successors, and assigns. The building official
8 shall report violations to the City Council which may revoke the special permit or take such
9 other action as may be necessary to gain compliance.

10 7. The Permittee shall sign and return the City's letter of acceptance to the
11 City Clerk within 30 days following approval of the special permit, provided, however, said 30-
12 day period may be extended up to six months by administrative amendment. The City Clerk
13 shall file a copy of the resolution approving the special permit and the letter of acceptance with
14 the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

15 8. The site plan as approved with this resolution voids and supersedes all
16 previously approved site plans, however, all resolutions approving previous permits remain in
17 force unless specifically amended by this resolution.

18 9. The applicant shall conduct a parking study after 18 months of operation
19 and provide it to the City.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor